



San Diego City Attorney **MICHAEL J. AGUIRRE**

NEWS RELEASE

FOR IMMEDIATE RELEASE: February 9, 2007

Contact: Jeff Van Deerlin, Public Affairs Manager (619) 235-5725 mvelasquez@sanidiego.gov

CALIFORNIA SUPREME COURT LIMITS ABILITY OF PUBLIC OFFICIALS TO DEFEND THEMSELVES AGAINST CONFLICT-OF-INTEREST CHARGES

San Diego, Ca—In a decision strengthening California's 1090 conflict-of-interest law, the California Supreme Court upheld an appellate court ruling limiting the ability of public officials to use as a defense the reliance on advice provided to them by another government official.

"Once again our judiciary has forcefully determined that one of California's primary weapons against public corruption is alive and well," said City Attorney Michael Aguirre.

The case, *The People v. Maria Socorro Chacon*, involved a Bell Gardens city councilwoman who was charged with violating California Government Code section 1090 by holding a financial interest in a contract made by the public agency of which she was a member.

In a preliminary hearing before the trial began, the trial court ruled that Ms. Chacon could use as a defense against the 1090 conflict charge, that she had relied on legal advice provided to her by Bell Gardens City Attorney Arnoldo Beltran. As a result the case was dismissed after the District Attorney's Office declared that they could not proceed to trial.

The Court of Appeal ruled that it was an error to allow the *defense*, and reversed the dismissal of the case.

The decision of the Supreme Court was filed yesterday. To view a copy of the ruling, visit www.sandiegocityattorney.org, Significant Reports and Legal Documents.

###